

MINUTES
REGULAR MEETING

January 28, 2020

A Regular Meeting was held by the Grey Forest City Council of the City of Grey Forest, Texas on January 28, 2020 at 6:31 p.m. in the Grey Forest Council Chambers, 18502 Scenic Loop Road, Grey Forest, Texas.

The following members present to-wit:

Mayor Pro Tem Susan Darst	Council member Sean Skaggs
Council member Geri Poss	Council member Kimberly Verity
Council member Jennifer Nottingham	

Staff Present:

Chief Rene Rodriguez	City Secretary Shannan Kinsley
Sgt. Scott Ristow	Assistant to City Secretary Joni Baker
Deputy Chief Frank Francis	
Officer Raymond Yee	

Citizen's Present:

Don Reddout	Susan Beavin
Sonya Herrera	Madeline McCloskey
Murry Hughey	Irene Scharf
Tom Crick	

Call to Order – City Council Regular Session

Mayor Pro Tem Darst called the regular meeting to order at 6:31 p.m. Mayor Phil Howard is out sick.

Opening Pledge of Allegiance to the Flag of the United States

(Mayor Pro Tem Darst)

Consent Agenda Items

Minutes – Consideration and/or action regarding the approval of the minutes of the Regular City Council Meeting of October 22, 2019. *Mayor Pro Tem Darst recognized Council member Nottingham who moved to approve the minutes as written and was seconded by Council member Verity. The vote was unanimous with Council members Skaggs, Darst and Poss voting for and no one voting no. Motion passed.*

Minutes – Consideration and/or action regarding the approval of the minutes of the Regular City Council Meeting of November 26, 2019. Mayor Pro Tem Darst recognized Council member Nottingham who asked for a change to Pg. 3, Madla Update, 1st bullet to begin with “With permission from Ron Green” and remove the word “private” on the second line of the bullet. Council member Nottingham stated on Pg. 5, Agenda Item No. 2, last 3 lines in bold, she made the motion to adopt ordinance no. 236 and revisit in January. It’s not on the agenda this evening. She knows it’s not ready for Council’s review, but it needs to go on the next agenda or as soon as it’s ready. *Mayor Pro Tem Darst recognized Council member Poss who moved to approve the minutes as suggested and amended by Council member Nottingham. The motion was seconded by Council member Skaggs. The vote was unanimous with Council members Nottingham, Darst and Verity voting for and no one voting no. Motion passed.*

Hearing of Residents

Mayor Pro Tem Darst recognized Irene Scharf who spoke.

- Irene Scharff stated Scenic Loop Playground Club (SLPC) has an updated cookbook for sale which includes the original recipes along with new ones and updated historical information. Council member Nottingham asked for clarification on who produced the cookbook and what the money from the purchases is used for. Irene Scharff stated SLPC updated their original cookbook. The money is used for nonpolitical projects and issues outside of Grey Forest that will eventually come to Grey Forest. There is no political influence in the group. Council member Nottingham asked who can join SLPC. Irene Scharf stated anyone can apply to join SLPC, but you have to be approved.

Mayor Announcements

Mayor Pro Tem Darst recognized City Secretary, Shannan Kinsley who gave an update on the lawsuit.

Shannan Kinsley stated the lawsuit is ongoing. Our attorney extended the trial date because the judge is still considering our motion which would dispose of the case.

December 2019 Monthly Financials

Mayor Pro Tem Darst recognized City Secretary, Shannan Kinsley who stated the Scenic Loop Road project was paid out of the current year budget as the project wasn't completed by the end of last fiscal year. Council asked to be given an update on the pedestrian crosswalk in February.

Council/Staff Announcements – None

Committee Announcements/Reports – None

Grey Forest Community Board (GFCB) Update

Madeline McCloskey announced the following:

- The board sent out a report on projects they have been working on.
- The rain garden is installed and working as planned. Phase 1 was to build it. Phase 2 will be planting.
- Peter Carey cut a massive Ligustrum tree. Public Works is chipping what they can, and Matt Galvan is doing the larger tree removal.
- They will be hiring someone with funds in the budget to haul away brush/trimmings.
- Deep Springs Dam has been emptied and will be cleaned out in the spring.

Senator Frank L. Madla, Jr. Natural Area Update

Council member Nottingham announced the following:

- The board is concentrating on assisting the conservancy with their Annual Fundraiser 03/21/2020 at La Hacienda. Tickets are \$80.00 and on sale on the conservancy website. They are accepting donations for the silent auction.
- The Fire Department has agreed to do a controlled burn at the Madla Park before March 1st when the warblers come back. It's training for the Fire Department and the wildflowers grow back much nicer.
- The Front gate is not opening from the keypad and is closing on its own. It will be fixed tomorrow.

City Events and Announcements

Saturday, March 21st

Madla Conservancy Fundraiser

La Hacienda Scenic Loop Restaurant

Board of Adjustment Update – None**Police Department Activity Report**

Chief Rene Rodriguez announced the following:

- November 2019 Monthly Report: 1044 hours worked, 4474 miles driven, 297 calls for service, 23 warnings, summons 28/26 (citations) and 49 total traffic stops.
- December 2019 Monthly Report: 1013 hours worked, 4433 miles driven, 331 calls for service, 34 warnings, summons 27/22 (citations), 56 total traffic stops, 1 disturbance and 1 damage to property.
- 2019 End of Year Totals: 13,042 hours worked, 53,809 miles driven, 3397 calls for service, 178 warnings, summons 443/383 (citations) and 564 total traffic stops.

Deputy Chief, Frank Francis presented the 2019 Racial Profiling Report which is mandated by the State. The Report was submitted electronically to the Texas Commission on Law Enforcement on 01/13/2020.

- 564 Total Stops. Gender; female 214/male 350. Race/Ethnicity; Black 19, Asian/Pacific Islander 17, Hispanic/Latino 297, White 231, Alaska Native/American 0. Race or ethnicity known prior to stop; Yes 1/No 563. Reason for stop; Violation of law 28, Preexisting knowledge 1, Moving traffic violation 299, Vehicle traffic violation 236. Street address or approximate location of the stop; City street 564. Was a search conducted; Yes 2/No 562. Reason for search; contraband 1, probable 1. Was contraband discovered; Yes 2/No 562. Description of contraband; drugs 1, stolen property 1. Result of the stop; written warning 178, citation 383, written warning and arrest 1, arrest 4. Arrest based on; violation of Penal Code 4, outstanding warrant 1. Was physical force resulting in bodily injury used during stop; No 564.

Deputy Chief, Frank Francis presented information regarding ongoing training, TCOLE requirements and overall standardized training being administered along with the new employee evaluation process.

Sgt. Scott Ristow presented an update on the Knock & Talk Program by explaining how all of its components work for our community in conjunction with other peripheral efforts.

Council member Verity asked for clarification on the Reserve Officers. Sgt. Scott Ristow stated the Reserve Officers are volunteer officers. The City keeps their licenses active. It's mandatory to work 16 hours every month. The Reserve Officers do not get paid.

Mayor Pro Tem Darst asked if we are going to consider digitizing our records. Chief Rene Rodriguez stated once they improve their computer equipment, they will start scanning records.

Sgt. Elliot Rodriguez presented an update and strategy for code compliance enforcement efforts which began on 01/20/2020. His concentration is on Scenic Loop Road first and then will work his way into the City. He will work with the Fire Marshall and Building Inspector on issues that will need to be enforced. Citizens are frustrated on why it took so long to do this and concerned with the cost of cleanup as some are on fixed incomes. He will work with citizens as long as they are making progress within a reasonable time frame. If no progress is made, a citation will be issued. Sgt. Elliot Rodriguez suggested that the City consider options to help citizens such as providing dumpsters for those in violation, make the top of the hill available for brush drop off and allow Public Works to assist when there are special circumstances where a citizen is not able to do what needs to be done.

Council member Poss stated she would like to get feedback from Sgt. Elliot Rodriguez as he finds out what the needs will be. Council member Darst stated there are Bexar County Agencies that will assist in certain circumstances like these. She wants to make sure we're sharing this information with citizens that need these services. Council member Nottingham stated the City has a signed CDBG contract. This is grant money set up to help these types of issues.

Officer Raymond Yee provided a presentation of grant updates and future grant endeavors going forward. They are closing out the Criminal Justice Grant. The grant awarded in 2020 was submitted for technology improvements. He's currently working on a surveillance and protection grant for next year.

Chief Rene Rodriguez concluded remarks along with a summation of Police Department accomplishments since January 1, 2019.

Public Works Announcements – None

GFU Utility Announcements – None

Fire Department Report

Mayor Pro Tem Susan Darst recognized Don Reddout who provided the following announcements:

- November 2019 Department Incident Report: 8 calls for service; 4 EMS and 4 other than EMS. Average Response Time 3.63 minutes. Average Personnel 3.38.
- December 2019 Department Incident Report: 6 calls for service; 4 EMS and 2 other than EMS. Average Response Time 3 minutes. Average Personnel 2.83.
- The slab has been poured for the new fire station. Steel should be going up in a few weeks.
- They received a grant for a later model military army truck.

New Business:

1. Discuss and Act on Order of General Election for Municipalities for the May 2, 2020 Election

Mayor Pro Tem Darst recognized Council member Nottingham who moved to call the election and was seconded by Council member Poss. The vote was unanimous with Council members Verity, Darst and Skaggs voting for and no one voting no. Motion passed.

2. Discuss and Act on Resolution No. 01-2020 Legally Designating the Official Newspaper for Publishing All Legal Notices and Ads to Conduct Business for the City of Grey Forest

Council member Nottingham asked for clarification that the Helotes Echo does qualify as a newspaper that can be used for this purpose. City Secretary, Shannan Kinsley confirmed yes. Mayor Pro Tem Darst stated the Helotes Echo is a fraction of the cost of the San Antonio Express News. *Mayor Pro Tem Darst recognized Council member Poss who moved to approve the Helotes Echo to be the legally designated newspaper for publishing all legal notices and ads as mandated by state law and was seconded by Council member Skaggs. The vote was unanimous with Council members Nottingham, Verity, and Darst voting for and no one voting no. Motion passed.*

3. Discuss and Act on Ordinance No. 237 Creating and Establishing a Local Truancy Prevention and Diversion Fund and a Municipal Jury Fund by Adding Sections 7.02.004 and 7.02.005 to Chapter 7, Article 7.02 – Fines and Costs of the Grey Forest Code of Ordinances and to Update Sections 7.02.001, 7.02.002, and 7.02.003

Mayor Pro Tem Darst recognized City Attorney, Sonya Herrera with the Law Offices of Ryan Henry. Sonya Herrera stated State Legislature is mandating courts to clarify what they are doing with court costs. The Jury Fund is used to pay jury costs. The City will not see any money from the Local Truancy Fund unless the City operates or establishes a Local Truancy Program. *Mayor Pro Tem Darst recognized Council member Poss who made the motion to approve Ordinance No. 237 to create and establish a Local Truancy Prevention and Diversion Fund and a Municipal Jury Fund and was seconded by Council member Skaggs. The vote was unanimous with Council members Nottingham, Verity and Darst voting for and no one voting no. Motion passed.*

4. Discuss and Act on Ordinance No. 238 Establishing Two Additional Affirmative Defenses to Prosecution of Heavy Truck Traffic on Municipal Streets by Amending Section 12.05.004 – Affirmative Defenses of Chapter 12, Article 12.05, of the Grey Forest Code of Ordinances

Mayor Pro Tem Darst recognized Sonya Herrera. Sonya Herrera stated this ordinance is designed to regulate the traffic flow of heavy trucks through the City. The first affirmative defense is the Texas Department of Transportation can issue a special permit under the Texas Transportation Code. By State law, the City can't enforce the heavy truck ordinance against those drivers if the truck has this sticker on it. To get this sticker, they must meet very specific size, weight and different configurations before they can even qualify for the permit. The second affirmative defense is a turnaround point across the street from City Hall. Signage will be necessary to prosecute. Council member Verity stated the 5th WHEREAS states to turn around at a designated point before fully entering the City's corporate limits. The turn around is in the center of the City. Sonya Herrera stated there is no other place to turn around, but we can adjust that verbiage. Council member Verity stated she would like the verbiage changed on the 5th WHEREAS to stop at the designated point; and remove "before fully entering the City's corporate limits". *Mayor Pro Tem Darst recognized Council member Verity who made the motion to change Ordinance No. 238, the 5th WHEREAS to read "the Grey Forest City Council finds that in the interest of protecting the longevity and durability of the City's streets, operators of heavy trucks should be encouraged and provided the opportunity to turn around at a designated point" and approve the rest of Ordinance No. 238 as written. The motion was seconded by Council member Nottingham. The vote was unanimous with Council members Darst, Skaggs and Poss voting for and no one voting no. Motion passed.*

5. Discuss and Act on Ordinance No. 239 Implementing Senate Bill 944 Relating to the Texas Public Information Act and Approving an Acknowledgement to the Ordinance

Mayor Pro Tem Darst recognized Sonya Herrera. Sonya Herrera stated this ordinance creates a custodian of record when using your personal cell phone and email to conduct City business. All persons conducting City business using a personal electronic device or email shall copy or forward their electronic communication to the designated City email account or take screen shots of text message conversation and send it to the designated account so that the City can retain it for any Public Information Request. This pertains to anybody conducting business with the City. All written records will be copied to the City Secretary. Council member Poss stated by adopting the ordinance, it's protecting the City and shows we are complying. Council member Darst stated she does not support Ordinance No. 239 and feels there are several options. She feels it's restrictive and open to interpretation. Council member Nottingham stated she would like to have Ordinance No. 239 postponed. Council member Poss asked how long Council has to comply. Sonya Herrera stated SB944 went into effect September 1, 2019. Council member Poss suggests passing the ordinance tonight, start with the concept and rework it in February knowing it's not final. Council member Verity thinks Council needs to fully understand what they are adopting. Council member Darst stated she would like to do more homework and bring back changes at the February meeting. Council member Darst and Council member Nottingham stated they support a policy but not this policy. Council member Nottingham stated we need to let City boards know that this is in

effect. Council member Skaggs suggested he look at Boerne's policy and Council member Darst look at the Helotes policy and try to come up with something together. Council member Darst suggested mandatory training. *Mayor Pro Tem Darst recognized Council member Nottingham who made the motion not to accept Ordinance No. 239 as written; appoint Susan Darst and Sean Skaggs to review Boerne and Helotes ordinances; then get with our City Attorney to come back in February to make this a better working vehicle; and send something out to all our boards, committee members and employees notifying that a City email address will be provided to them. The motion was seconded by Council member Verity. The vote was unanimous with Council members Darst, Skaggs and Poss voting for and no one voting no. Motion passed.*

6. Discuss and Act on Amendment to the Grey Forest Code of Ordinances, Chapter 8, Article 8.01, Section 8.01.001 – Consumption of Alcohol on City-Owned Property

Mayor Pro Tem Darst read aloud Mayor Howard's notes as follows: During the last year's budget meetings it was brought up several times and briefly discussed why the community center rentals were so infrequent. Council members expressed a desire to see increased revenue from rentals, so the community center building is maintained with the generated revenue. He believes the first step is to make it easier and more welcoming for citizens to use the facility by revising the current ordinance as follows:

- Sec. 8.01.001 (c) (1) **Change:** beer or wine to alcoholic beverage.
- Sec. 8.01.001 (c) (1) (A) **Remove completely:** Lessee provides sixty-day notice of the intended rental to the city community board.
- Sec. 8.01.001 (c) (1) (B) **Remove completely:** Lessee has received approval from the city community board prior to the rental for serving beer and/or wine at an event.
- Sec. 8.01.001 (c) (1) (D) **Remove completely:** Lessee has paid the requisite deposit of twice the normal rental deposit needed to reserve the facility for its intended use.
- Sec. 8.01.001 (c) (1) (E) **Change:** beer or wine to alcoholic beverage; **Change** "to within 15 feet of the clubhouse" to "to within 60 feet of the community center building". Presently, the specified distances are different for city park property, the distance designated for Madla Park facilities is 40 feet.
- Sec. 8.01.001 (c) (1) (G) **Remove completely:** Lessee uses the services of a T.A.B.C. certified server for serving the beer or wine to lessees and their invitees.
- Sec. 8.01.001 (c) (1) (H) **Remove completely:** Lessee complies with all T.A.B.C. rules and regulations if the event is a paid event (such as a fundraiser).
- What absolutely would stay is the requirement to secure the paid services of one or more commissioned licensed peace officer(s) approved the city police chief or his/her designee to provide security during the entirety of the event. (Sec.8.01.001 (c) (1) (F)).

For consistency and ease of management, he believes we should make the same changes to the city's Senator Frank L. Madla cottage and pavilion (Sec. 8.01.01(c) (2)).

Council member Poss stated she believes these are great ideas and feels it will increase the renting of the clubhouse. Council member Skaggs stated he agrees with Council member Poss. Council member Verity stated she thinks it's a good idea if there is a Police Officer onsite so that it doesn't get out of hand. It's going to help generate revenue. Chief Rodriguez stated reserve officers can only work traffic related jobs. Only full-time officers can work security jobs. Council member Nottingham stated the restrictions are there for a reason and she doesn't want to throw it all out. She's not disagreeing with it but would like to do more research. Council member Darst stated prior to the conveyance to the City, alcohol was not allowed in the clubhouse. It was meant to be restrictive. She would like to be realistic and not pretend that people are not drinking when they are. She would like to put policies in place that are reasonable and can be enforced. She likes the changes to the policy with officer's present. *Mayor Pro Tem Darst recognized Council member Poss who made the motion to accept the changes that have been outlined and instruct the City Attorney to*

implement these changes and bring back at the next meeting. The motion was seconded by Council member Skaggs. The vote was unanimous with Council members Nottingham, Verity and Darst voting for and no one voting no. Motion passed.

7. Discuss and Act on a Police Volunteer Program of Issuing Grey Forest Stickers for Resident Vehicles to Help in Their Efforts to Keep Crime Low

Mayor Pro Tem Darst recognized Sgt. Scott Ristow who provided Council pictures of the logo finalists for resident stickers. He explained the stickers can go on either the bumper or window. Council voted on the logo for the sticker program. *Mayor Pro Tem Darst recognized Council member Nottingham who made the motion to formally adopt the lower righthand corner logo for the stickers. The motion was seconded by Council member Darst. The vote was unanimous with Council members Verity, Skaggs and Poss voting for and no one voting no. Motion passed.*

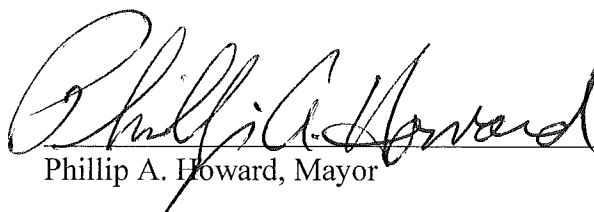
Unfinished Business:

8. Discuss and Act on Update on Construction at Hillside Drive and Grey Forest Drive

Mayor Pro Tem Darst recognized Shannan Kinsley, City Secretary for an update. Shannan Kinsley stated there is nothing to present at this time. An update was given in November and is in the minutes. The City Engineer has been out with drones for mapping, but it's all preliminary at this time. Mayor Pro Tem Darst stated there are two columns on Hillside and wanted to know if they would need to be moved. At one point, there was an arch that said Welcome to Scenic Loop Playground. Shannan Kinsley stated nothing will be approved without Council seeing it first and approving it. Council member Verity stated Council will be able to look at the preliminary plans. She would like to see the entrance rebuilt if it does need to be moved.

Adjournment

As there was no further business, Mayor Pro Tem Darst adjourned the meeting at 9:28 p.m.


Phillip A. Howard, Mayor

ATTEST:


Shannan Kinsley, City Secretary